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**NATIONAL SECURITY AGENCY/CENTRAL SECURITY  
SERVICE**



**INSPECTOR GENERAL**

**SUMMARY REPORT**

**21 June 2016**

**IV-15-0043**

**Misuse of Government Resources**

**WARNING: THIS REPORT MAY CONTAIN GRAPHIC IMAGES  
AND/OR LANGUAGE**

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Approved for Release by NSA on 06-01-2022, FOIA Case # 85643 (Litigation)

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## **(U) OFFICE OF THE INSPECTOR GENERAL**

(U) Chartered by the NSA Director and by statute, the Office of the Inspector General conducts audits, investigations, inspections, and special studies. Its mission is to ensure the integrity, efficiency, and effectiveness of NSA operations, provide intelligence oversight, protect against fraud, waste, and mismanagement of resources by the Agency and its affiliates, and ensure that NSA activities comply with the law. The OIG also serves as an ombudsman, assisting NSA/CSS employees, civilian and military.

### **(U) AUDITS**

(U) The audit function provides independent assessments of programs and organizations. Performance audits evaluate the effectiveness and efficiency of entities and programs and their internal controls. Financial audits determine the accuracy of the Agency's financial statements. All audits are conducted in accordance with standards established by the Comptroller General of the United States.

### **(U) INVESTIGATIONS**

(U) The OIG administers a system for receiving complaints (including anonymous tips) about fraud, waste, and mismanagement. Investigations may be undertaken in response to those complaints, at the request of management, as the result of irregularities that surface during inspections and audits, or at the initiative of the Inspector General.

### **(U) INTELLIGENCE OVERSIGHT**

(U) Intelligence oversight is designed to insure that Agency intelligence functions comply with federal law, executive orders, and DoD and NSA policies. The IO mission is grounded in Executive Order 12333, which establishes broad principles under which IC components must accomplish their missions.

### **(U) FIELD INSPECTIONS**

(U) Inspections are organizational reviews that assess the effectiveness and efficiency of Agency components. The Field Inspections Division also partners with Inspectors General of the Service Cryptologic Elements and other IC entities to jointly inspect consolidated cryptologic facilities.

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NATIONAL SECURITY AGENCY  
CENTRAL SECURITY SERVICE  
OFFICE OF THE INSPECTOR GENERAL  
9800 Savage Road, Suite 6247  
Fort George G. Meade, MD 20755-6247



20 June 2016

To: Chief, D14 [redacted]

From: Investigator [redacted]

(b) (3) - P.L. 86-36

Subject: Computer Misuse

File No: IV-15-0043

Precedence: Routine

Purpose: To provide a summary report of investigation and to refer this matter to the Chief, Maryland Procurement Office (B3P); and the Associate Directorate for Security and Counterintelligence - Contractor Clearances (Q232) and Special Actions (Q242), for review and any action deemed appropriate.

Details:

I. (U) Background:

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(U//FOUO) On 15 May 2015, the NSA/CSS Office of the Inspector General (OIG) received a referral containing a network activity report identifying possible misuse of the unclassified NSA/CSS Information System (IS) by contractor affiliate [redacted]. The referral alleged that [redacted] was searching for, and viewing, sexually-explicit images and videos. [redacted] was formerly an NSA/CSS contractor affiliate employed by [redacted] as an Integrated Analyst in [redacted] working on the [redacted]. On 8 June 2015, the OIG initiated an investigation into [redacted] suspected misuse of the unclassified NSA/CSS IS. [redacted] was terminated by [redacted] on 8 December 2015.

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II. (U) Allegation:

(U//FOUO) Did [redacted] a contractor affiliate supporting [redacted] [redacted] misuse the unclassified NSA/CSS IS during the period 1 January 2013 through 10 February 2015, in violation of NSA/CSS Policy 6-4 and 6-6?

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## III. (U) Applicable Standard(s):

(U//~~FOUO~~) NSA/CSS Policy 6-4, *Contractor Use of NSA/CSS Information Systems*, dated 16 April 2003, revised 7 June 2007<sup>1</sup>

(U//~~FOUO~~) NSA/CSS Policy 6-4, *Contractor Use of NSA/CSS Information Systems and Resources*, dated 22 October 2013<sup>2</sup>

(U//~~FOUO~~) NSA/CSS Policy 6-6, *Use of Unclassified Information Systems Such as the Internet*, dated 30 September 2004, revised 20 June 2012 and 15 October 2013<sup>3</sup>

(U//~~FOUO~~) NSA/CSS Policy 6-6, *Use of Unclassified Information Systems and Internet-Based Capabilities*, dated 1 August 2014, revised 15 December 2014<sup>4</sup>

## IV. (U) Investigative Activity:

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A. (U//~~FOUO~~) Analysis of Routine Monitoring of [REDACTED] Unclassified NSA/CSS IS Activity:

(U//~~FOUO~~) Initially, one network activity report (Report A) was referred to the OIG detailing [REDACTED] suspected misuse of the unclassified IS during the period 25 January 2013 – 10 February 2015. A more comprehensive network activity report (Report B) was subsequently requested and obtained for the same period to determine the extent of the suspected misuse identified in Report A. The supporting data contained within Report B provided a more complete accounting of [REDACTED] searches, including sample images.

(U//~~FOUO~~) Report A indicated that during routine monitoring of the unclassified NSA/CSS IS, the user account bearing [REDACTED] NSA/CSS Standard Identification (SID), [REDACTED] was detected searching for, and viewing, sexually-explicit images and videos. Upon further review, it was determined that [REDACTED] conducted searches for sexually-explicit images and videos using various websites, primarily *www.reddit.com*, *www.imgur.com* and *www.tumblr.com*. Mr. [REDACTED] visited these websites and, in their respective search fields, input various terms and phrases such as: “big ass milf”, “thong”, “big tits”, “busty wife”, “boobs” and “topless”. These searches returned images of women posing in the nude, including images of women engaged in sexual acts (oral sex and masturbation). [REDACTED] also conducted by-name searches on these websites for women with accounts (referred to as “albums”) known to contain sexually-explicit images.

(U//~~FOUO~~) [REDACTED] did not generally access these images on a daily basis. Of the twenty-six months comprising the analysis period (25 January 2013 – 10 February 2015), there were a total of four months in which [REDACTED] did not access sexually-explicit images. He did however do so at least one time per month during each of the remaining twenty-two months. Typically, his activity was limited to a few days per month, and for varying periods of time. For example, [REDACTED]

<sup>1</sup> Applicable to IS misuse detected from 1 January 2013 to 21 October 2013.

<sup>2</sup> Applicable to IS misuse detected from 22 October 2013 to 10 February 2015.

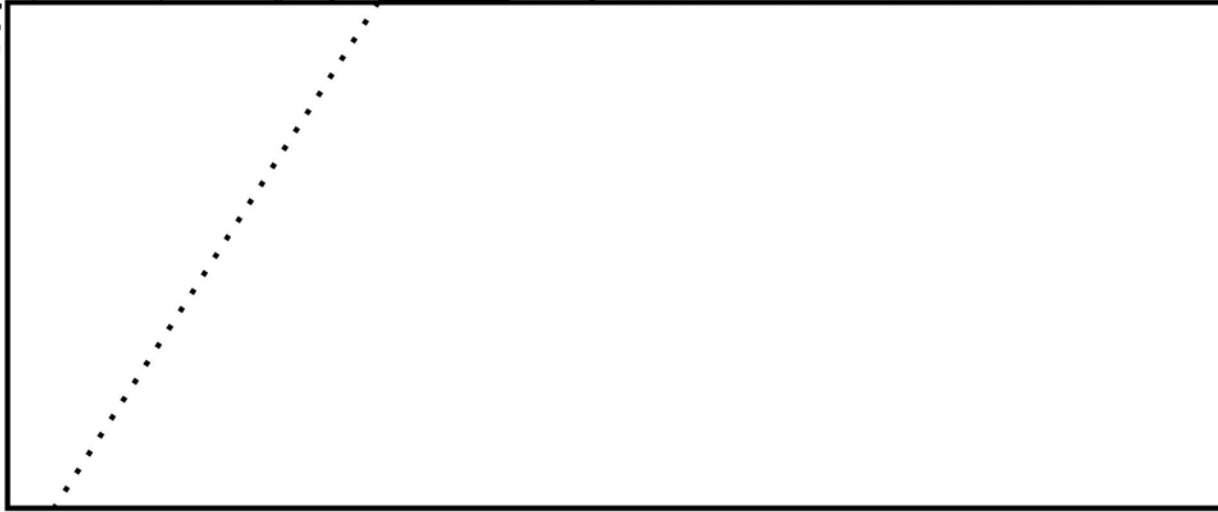
<sup>3</sup> Applicable to IS misuse detected from 1 January 2013 to 31 July 2014.

<sup>4</sup> Applicable to IS misuse detected from 1 August 2014 to 10 February 2015.

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[redacted] searched for and viewed this material one time in the month of June 2013 (20 June 2013) for a total of approximately two and a half hours (1604 hours to 1837 hours). In December 2013, he conducted this activity over the course of five separate days for approximately the same amount of time (two and a half hours). This pattern of activity was consistent throughout the analysis period in those months in which he accessed such images and videos.

(U//FOUO) The majority of [redacted] activity on the unclassified IS was conducted via



**B. (U) Interview(s):**

(U//FOUO) On 3 December 2015, [redacted] Integrated Analyst, was interviewed and provided the following sworn testimony:

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(U//FOUO) [redacted] is a contractor with [redacted] which is the prime contractor on his contract. He has worked as a contractor with [redacted] since May 2011, and has been assigned to his current contract since July 2015. Prior to that, from September 2014 through June 2015, he worked on the [redacted] contract in [redacted]. [redacted] was prior military. [redacted] duties generally entail acting as a liaison between The Office of Primary Interest and the [redacted]. His Contracting Officer Representative is [redacted]. He typically works Monday through Friday and his hours vary, but occur between 0530 to 1700 hours, depending on the day and the mission.

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(U//FOUO) During the course of his daily duties, [redacted] utilizes the unclassified IS for work-related purposes. However, he currently does not have an unclassified workstation at his desk. There is only one unclassified workstation in the office in which [redacted] currently works. Over the course of his time at the Agency [redacted] has worked in offices where he had an unclassified workstation at his desk, as well as those in which the office shared one unclassified workstation. Since July 2015, [redacted] has worked in an office with a shared unclassified

<sup>5</sup> See NSA/CSS Policy 6-6, Paragraph 44;  
<sup>6</sup> See NSA/CSS Policy 6-6, Paragraph 46;

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workstation. Prior to that, from September 2014 through June 2015, [REDACTED] had access to an unclassified workstation at his desk.

(U//~~FOUO~~) [REDACTED] is aware that use of Agency ISs constitutes consent to monitoring and that his activity, while on the unclassified IS, is/was monitored. He stated that he vaguely recalls his company informing him that employees could not view pornographic material or stream media from the unclassified IS, though he was not sure when or how that information was conveyed. Additionally, he recalled receiving the initial security briefing regarding use of Agency ISs when inprocessing as a contractor in May 2011, where he signed forms regarding "acceptable use".

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(U//~~FOUO~~) [REDACTED] stated that he does use the unclassified IS for personal use to conduct activities such as checking his personal email and the news. He stated that he has also visited the website "reddit.com". He described "reddit.com" as a site which hosts other websites.

(U//~~FOUO~~) [REDACTED] admitted that he had conducted searches for nude and sexually explicit images via "reddit.com" since January 2013. He stated that he used the website because he could view the images via "reddit.com" without directly visiting the site that posted the images. According to [REDACTED] the purpose of doing so was to avoid detection. He stated that despite his general familiarity with the Agency's policy on acceptable use of the unclassified IS, he continued viewing the sexual images via "reddit.com" because he determined the risk of detection to be low due to the number of Agency personnel using the unclassified IS at any given time. [REDACTED] believes that he has a problem. He stated that he only viewed nude and sexual images, but that he does not believe in pornography [REDACTED].

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(U//~~FOUO~~) [REDACTED] acknowledged that he now has a clearer understanding of the Agency's policies regarding use of the NSA/CSS unclassified IS and that he will adhere to the policies from this day forward. He stated that he has not searched for, or viewed, images containing nudity and sexual content since before the summer of 2015. This is because he moved to an office with open-spaces that has a shared unclassified workstation.

#### V. (U) Analysis:

(U//~~FOUO~~) The two network activity reports detailing [REDACTED] activity on the unclassified NSA/CSS IS confirmed that [REDACTED] used the unclassified NSA/CSS IS to conduct personal, non-contract related-activities. Specifically, during the period 25 January 2013 - 10 February 2015, [REDACTED] used the unclassified IS to visit certain websites (primarily *www.reddit.com*, *www.imgur.com* and *www.tumblr.com*) for the purpose of searching for and viewing sexually-explicit images and videos. [REDACTED] admitted during his interview with the OIG that he did in fact conduct searches for sexually-explicit images and videos using the unclassified NSA/CSS IS, and that he had done so from on or about January 2013 until on or about the summer of 2015 when he could no longer privately access an unclassified workstation.

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(U//~~FOUO~~) Prior to his termination in December 2015, [REDACTED] was a contractor affiliate employed by [REDACTED] working as an Integrated Analyst in [REDACTED]. In this capacity, [REDACTED] was an authorized user of the NSA/CSS unclassified IS. As such, both NSA/CSS Policy 6-4, *Contractor Use of NSA/CSS Information Systems* (dated 16 April 2003,

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revised 7 June 2007) and NSA/CSS Policy 6-4, *Contractor Use of NSA/CSS Information Systems and Resources* (dated 22 October 2013) applied to his use of the unclassified NSA/CSS IS. The former applied to his use during the period 25 January 2013 through 21 October 2013, while the latter applied to his use during the period 22 October 2013 through 10 February 2015. In each instance, NSA/CSS Policy 6-4 specifically limited contractor use of NSA/CSS ISs to the performance of tasks authorized by contract, approved by the Contracting Officer, and permitted by the policy itself.<sup>7</sup> Further, NSA/CSS Policy 6-4 expressly prohibited contractors from engaging in personal use of the unclassified IS, “except for brief, infrequent communications to deal with urgent matters. This limited exception to the personal use prohibition applies only when:

- a. (U) Unavoidable personal matters arise such as, but not limited to, contacting a spouse, dependent family member, or other individuals responsible for a dependent’s care; scheduling a physician’s appointment; or vehicle maintenance;
- b. (U) The communication does not adversely affect the NSA/CSS mission or reflect poorly on NSA/CSS;
- c. (U) The communication does not result in other than minimal expense to the Government (e.g., the call is local, toll-free);
- d. (U) Time spent using the NSA/CSS IS or resource is not billed to the contract; and
- e. (U) The use is not associated with personal business activities outside the scope and purpose of the contract.”<sup>8</sup>

(U//~~FOUO~~) On multiple occasions throughout the period 25 January 2013 – 10 February 2015, [REDACTED] utilized the unclassified NSA/CSS IS to access certain websites for the purpose of searching for and viewing sexually-explicit images and videos. These activities are personal in nature and inconsistent with NSA/CSS Policy 6-4’s limited exception to the personal use prohibition. Specifically, [REDACTED] activities cannot reasonably be characterized as unavoidable personal matters requiring his immediate attention; rather, they were activities conducted for the benefit of his personal gratification.

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(U//~~FOUO~~) Additionally, [REDACTED] as an authorized [REDACTED] user of the NSA/CSS unclassified IS, was subject to the provisions of both NSA/CSS Policy 6-6, *Use of Unclassified Information Systems Such as the Internet* (dated 30 September 2004, revised 20 June 2012 and 15 October 2013)<sup>9</sup>; and NSA/CSS Policy 6-6, *Use of Unclassified Information Systems and Internet-Based Capabilities*, (dated 1 August 2014, revised 15 December 2014)<sup>10</sup>. As such, he was required to adhere to certain responsibilities identified for authorized users who access

<sup>7</sup> See NSA/CSS Policy 6-4, Paragraph 1, dated 22 October 2013 and 16 April 2003 (revised 7 June 2007);

<sup>8</sup> See NSA/CSS Policy 6-4, Paragraph 8, dated 22 October 2013; see also NSA/CSS Policy 6-4, Paragraph 4, dated 16 April 2003 (revised 7 June 2007). The applicable portions of both policies were substantially similar and the differences were not relevant to, not do they change, the analysis.

<sup>9</sup> Applicable to IS misuse detected from 1 January 2013 to 31 July 2014.

<sup>10</sup> Applicable to IS misuse detected from 1 August 2014 to 10 February 2015.

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and/or communicate on the unclassified IS. Specifically, in accordance with the 2004 version of NSA/CSS Policy 6-6<sup>11</sup>, [redacted] was required to "use good judgment and common sense" while accessing and/or communicating on the unclassified IS. As stated above, [redacted] admitted that he used the unclassified IS to visit certain websites for the purpose of searching for and viewing sexually-explicit images and videos. This activity, conducted by an authorized user of the NSA/CSS unclassified IS, demonstrates a lack of good judgment and common sense in violation of NSA/CSS Policy 6-6, Paragraph 25(n)<sup>12</sup>.

(U//FOUO) Similarly, [redacted] actions also violated provisions of the revised version of NSA/CSS Policy 6-6 (*Use of Unclassified Information Systems and Internet-Based Capabilities*, dated 1 August 2014, revised 15 December 2014). Pursuant to Paragraph 18h, [redacted] was required to avoid all prohibited activity, to include "participating in others' uses of NSA/CSS ISs that are incompatible with public service." [redacted] use of the unclassified IS to conduct the aforementioned activity represents a use of an NSA/CSS IS that is incompatible with public service, in violation of this version of NSA/CSS Policy 6-6.

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(U//FOUO) [redacted] consciously disregarded Agency policy regarding [contractor] use of the unclassified IS and he admitted that he deliberately employed measures in an attempt to conceal his personal activities. During his interview with the OIG, [redacted] acknowledged that: (1) he was generally familiar with the Agency's policies regarding use of the unclassified IS; (2) he was aware that Agency ISs are monitored and that use constitutes consent to monitoring; (3) he received a security briefing regarding use of agency ISs when he originally inprocessed as a contractor in May 2011; and (4) [redacted] likely informed him that employees could not view pornographic material or stream media from the unclassified IS. Nevertheless, despite his familiarity with the Agency's policy on acceptable use of the unclassified IS, he continued viewing this material throughout the analysis period because, as he stated during his interview, he determined the risk of detection to be low due to the number of Agency personnel using the unclassified IS at any given time. [redacted] also admitted that he purposefully chose *www.reddit.com*, *www.imgur.com* and *www.tumblr.com* as tools to view sexually-explicit images and videos because they provided the ability to do so without having to specifically visit sites containing this material. He stated that he believed he was less likely to be detected by viewing this material through these sites. Finally, the evidence reflects that [redacted] also used [redacted] [redacted] access to search for and view some of these images and videos during the analysis period;

However, users are required to adhere to certain terms of use (See Appendix C and Appendix D). Among them are provisions which prohibit the use of [redacted] for personal use (Appendix C) and restricting use to official government business [redacted] (Appendix D). [redacted] use of [redacted] to search for and view sexually-explicit images and videos appears to violate those terms of use.

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<sup>11</sup> 20 June 2012 and 15 October 2013 revisions.

<sup>12</sup> NSA/CSS Policy 6-6, dated 30 September 2004 (revised 20 June 2012 and 15 October 2013);

[redacted]



(U//~~FOUO~~) The preponderance of the evidence supports the conclusion that, during the period 25 January 2013 – 10 February 2015, [redacted] used the unclassified NSA/CSS IS for non-contract-related personal use to search for and view sexually-explicit images and videos, in violation of NSA/CSS Policies 6-4 and 6-6.

**VI. (U) Response to Tentative Conclusion:**

(U//~~FOUO~~) The tentative conclusion was provided to [redacted] on 7 June 2016. On 17 June 2016, [redacted] provided a response to the tentative conclusion, which is located at Appendix E.

(U//~~FOUO~~) [redacted] offered no additional information or mitigation which would require further investigative activity, therefore, the tentative conclusion became final.

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**VII. (U) Conclusion(s):**

(U//~~FOUO~~) [redacted] willfully disregarded Agency policy and deliberately attempted to conceal his activity on the unclassified IS. Such behavior demonstrates questionable judgment on his behalf and reflects poorly upon his performance as an NSA/CSS contractor affiliate. Additionally, [redacted] personal use of [redacted] may have violated the terms of use established for use of such accounts. Nevertheless, this report makes no conclusions in the case of his [redacted] as these actions are not specifically prohibited or addressed by law, policy, or regulation.

(U//~~FOUO~~) **Substantiated.** The preponderance of the evidence supports the conclusion that, during the period 25 January 2013 – 10 February 2015, [redacted] used the unclassified NSA/CSS IS for non-contract-related personal use to search for and view sexually-explicit images and videos, in violation of NSA/CSS Policies 6-4 and 6-6.

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## **(U) APPENDIX A**

(U) Network Activity Reports

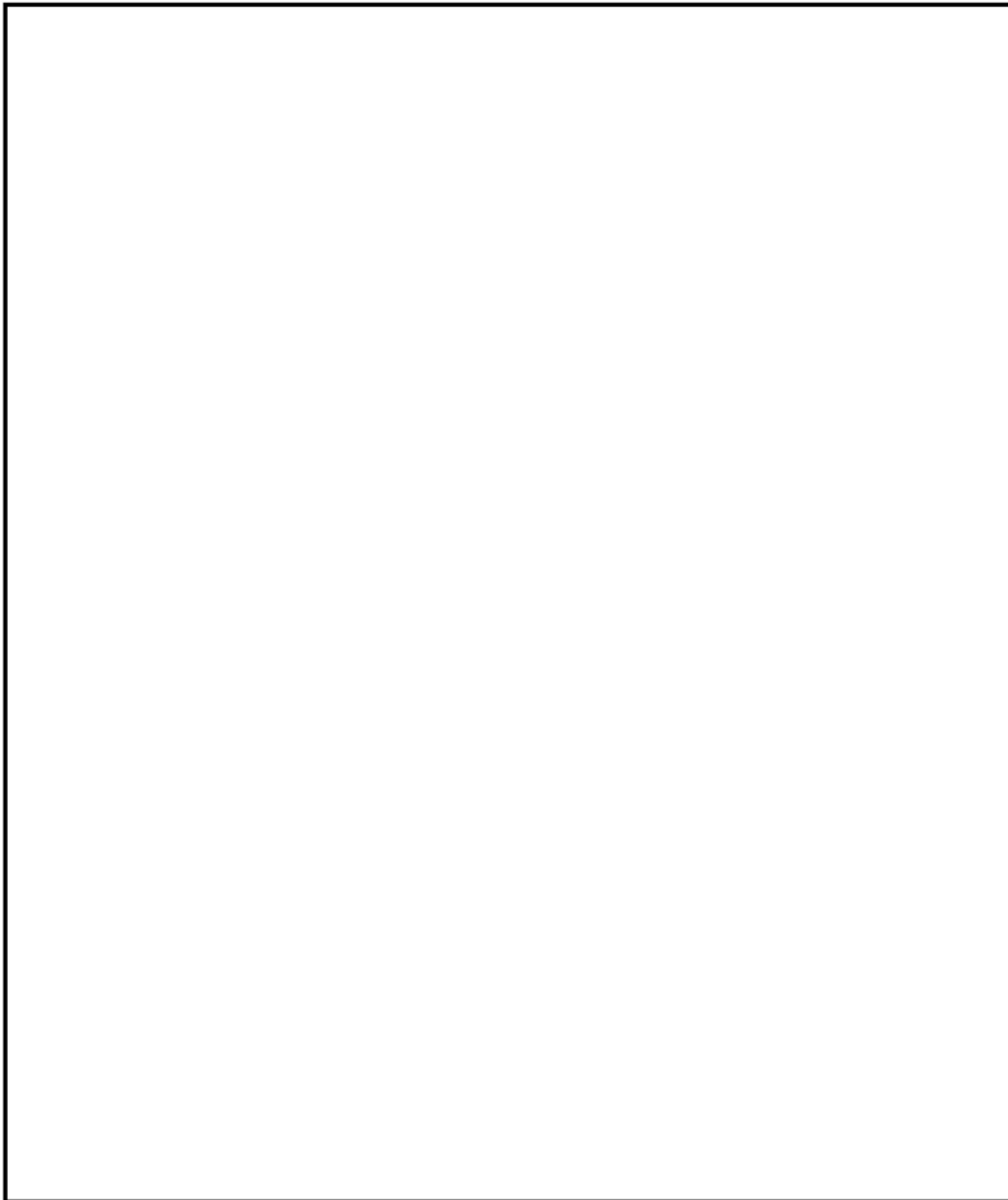
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Searches Conducted by

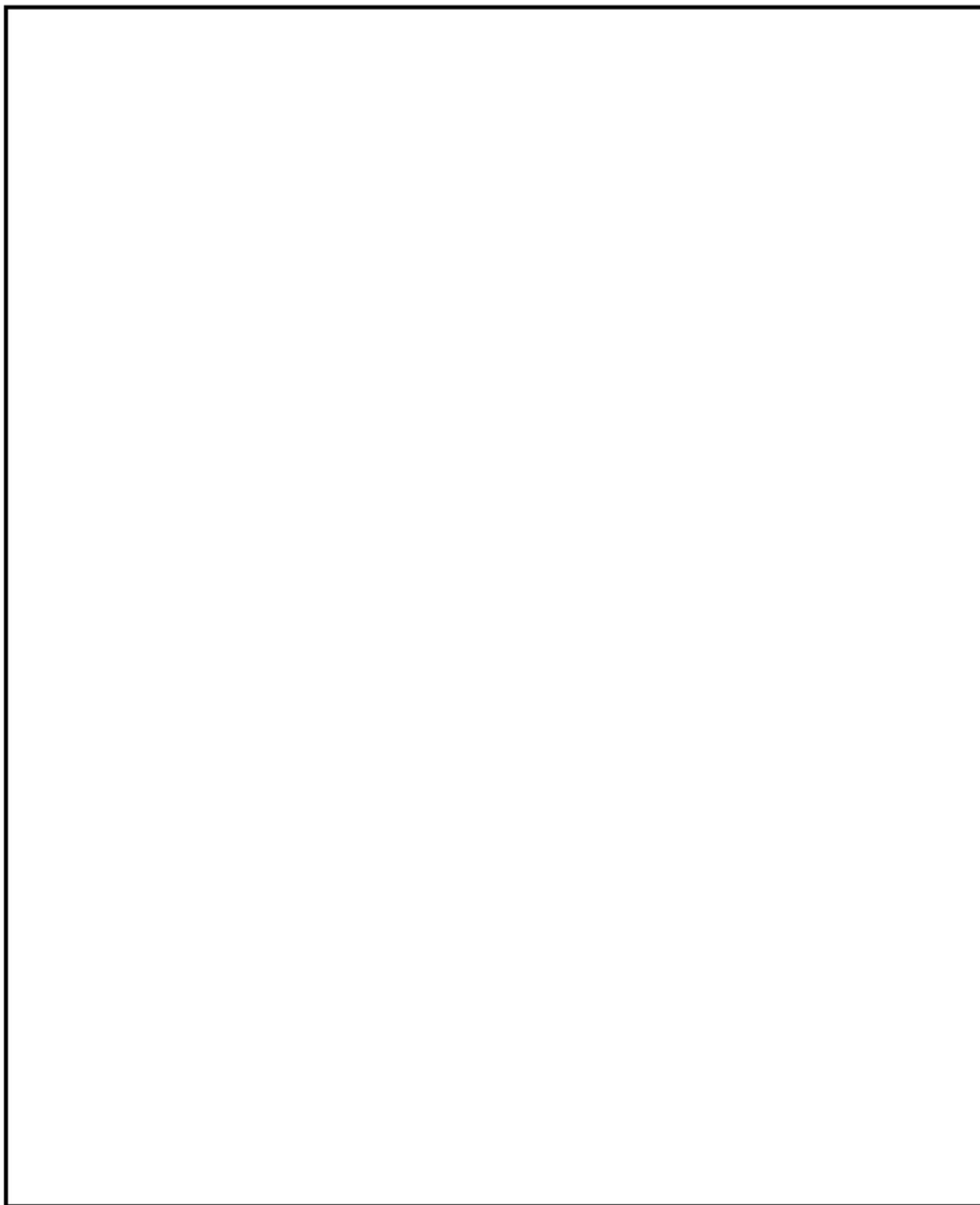
*Edits were made by the OIG for readability purposes:*



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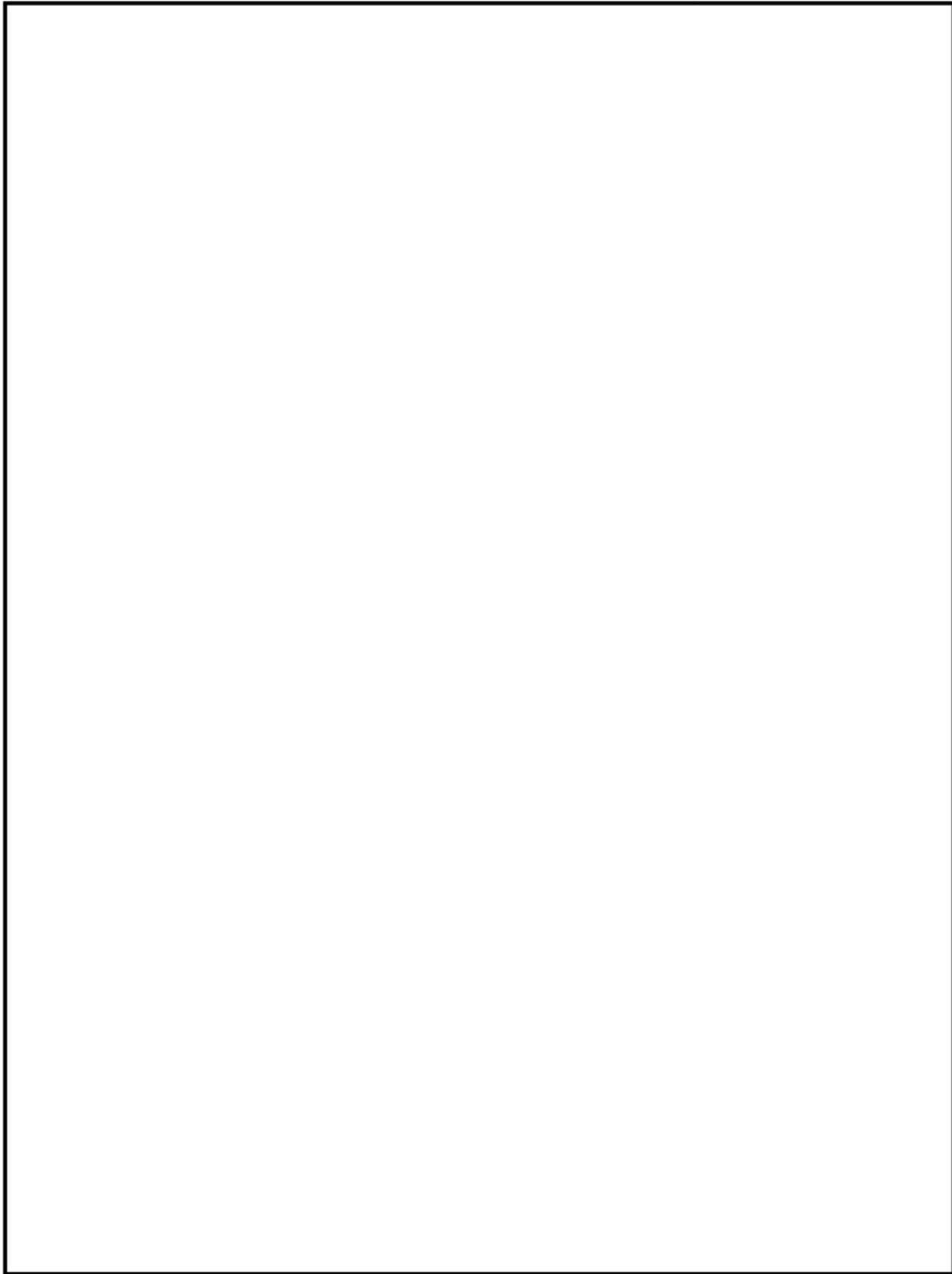
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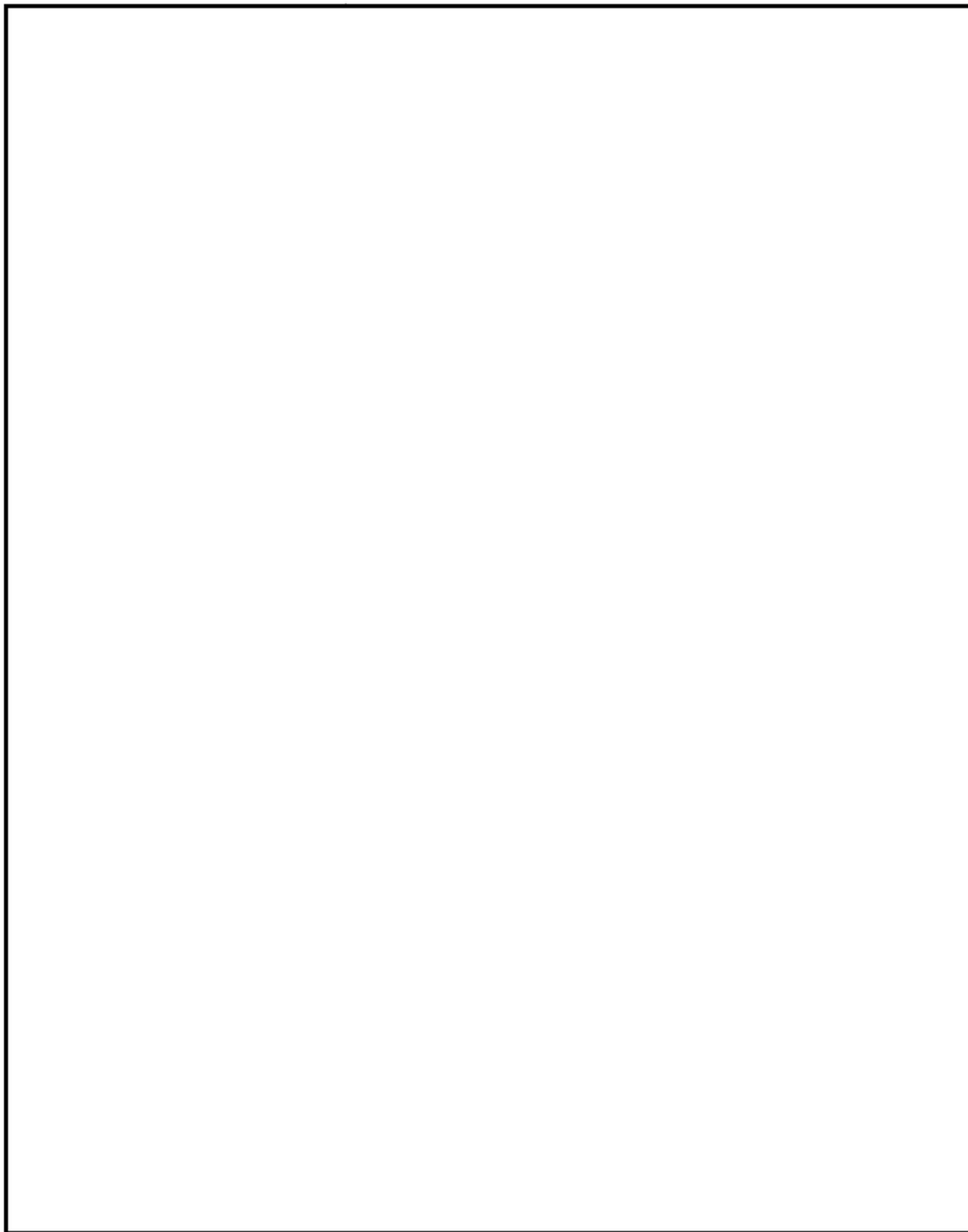
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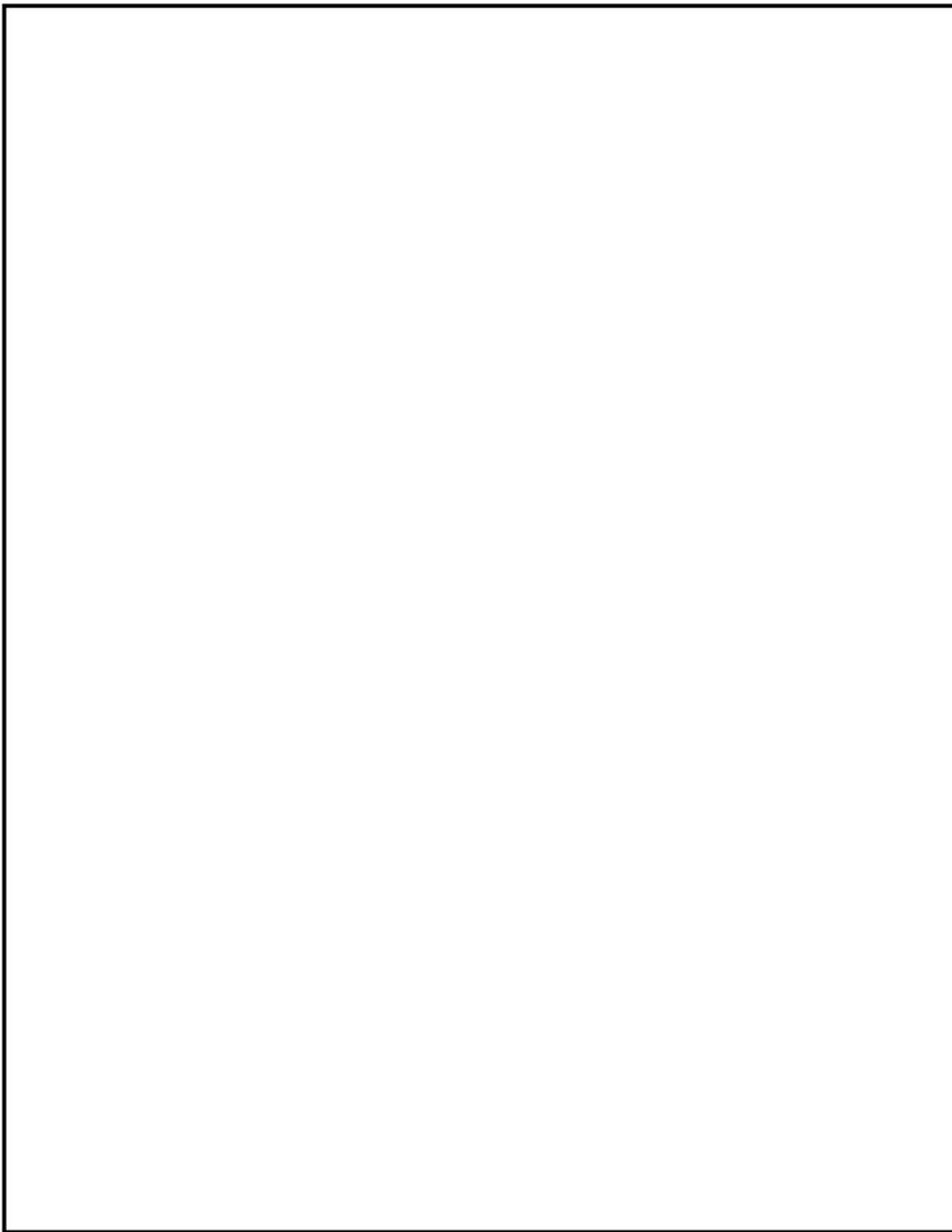
[Redacted]

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[Redacted]

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**(U) APPENDIX B**

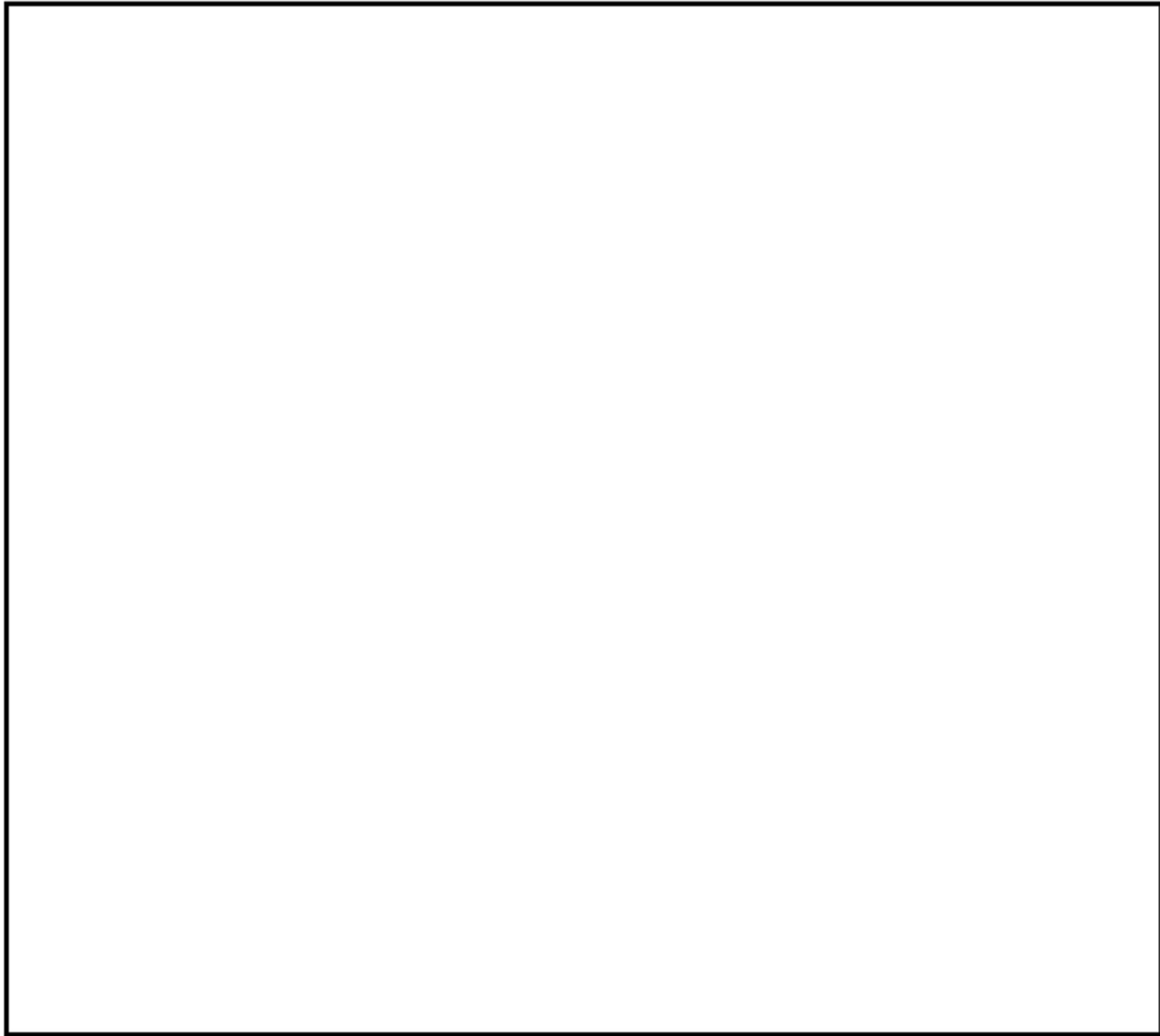
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(U) Sample of Images Viewed by

**\*\*\*WARNING: SEXUALLY-EXPLICIT CONTENT\*\*\***

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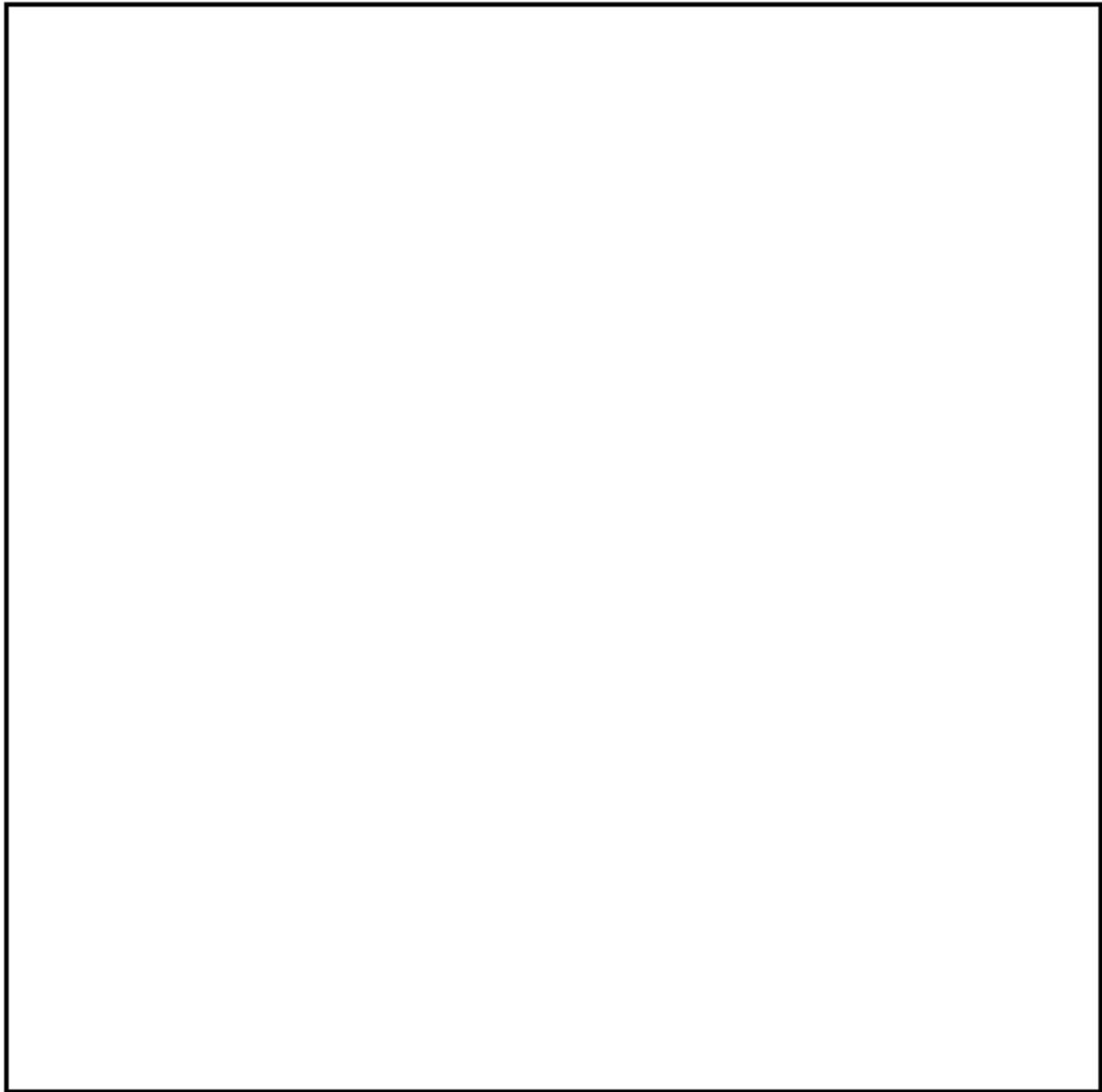
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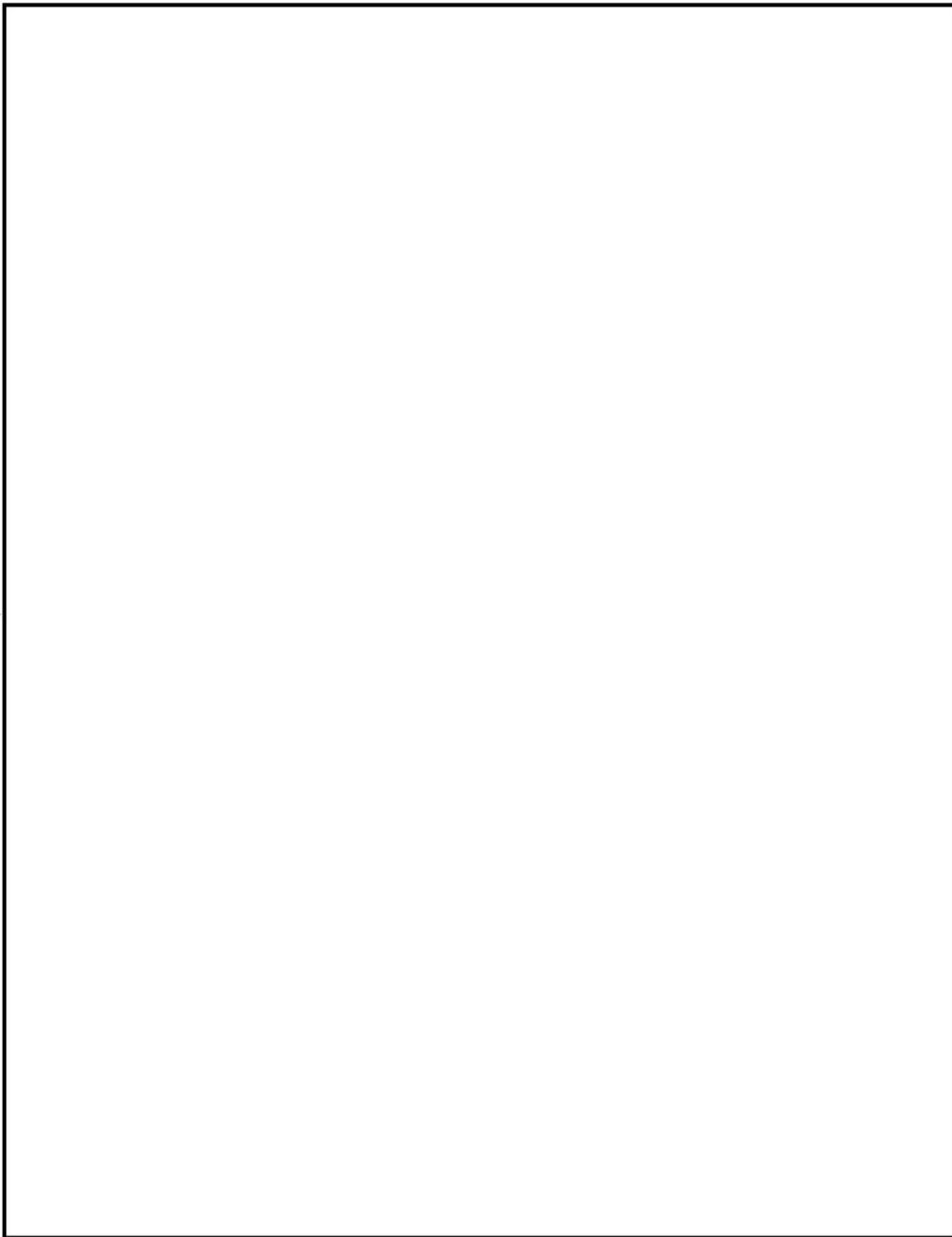
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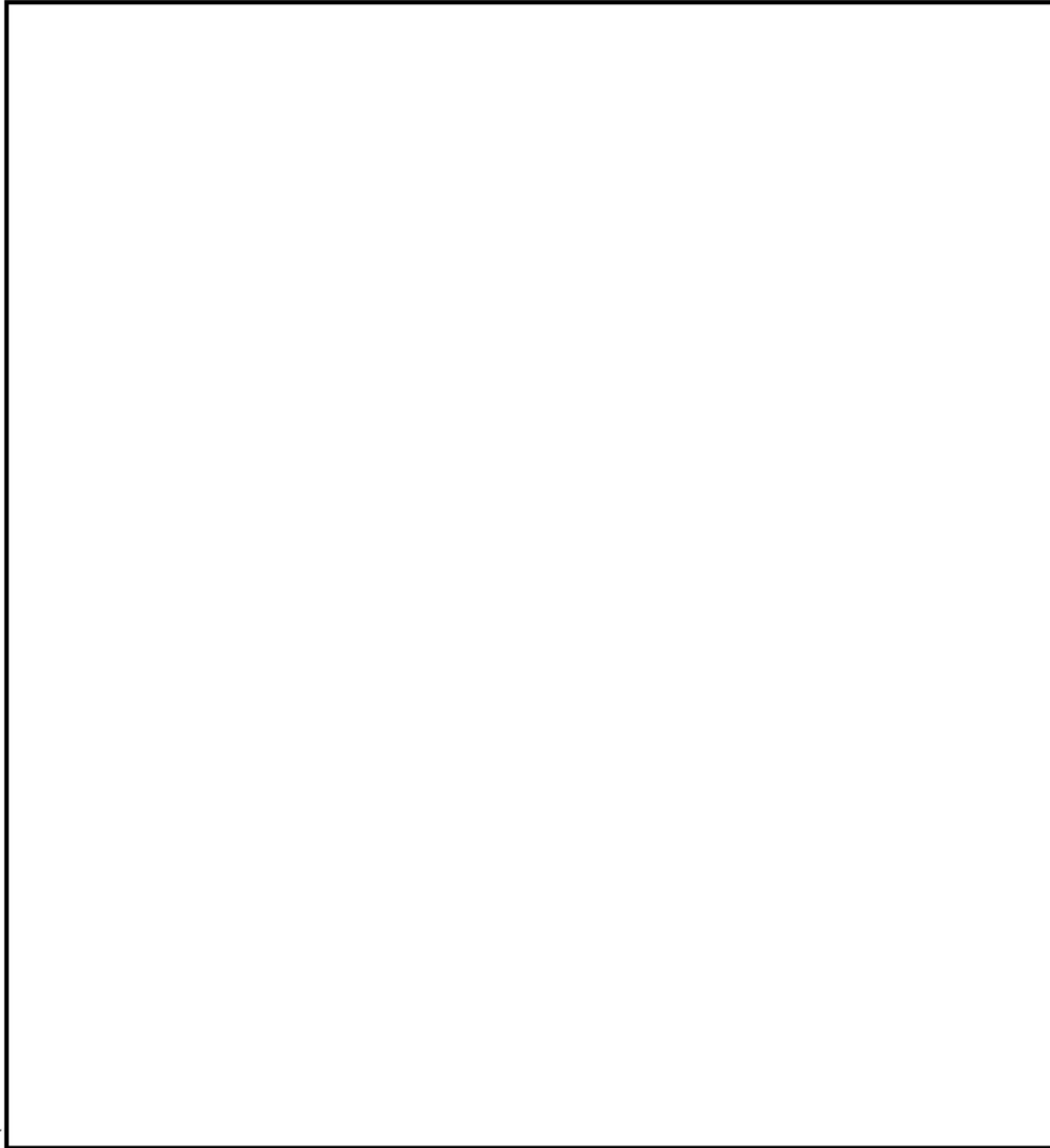


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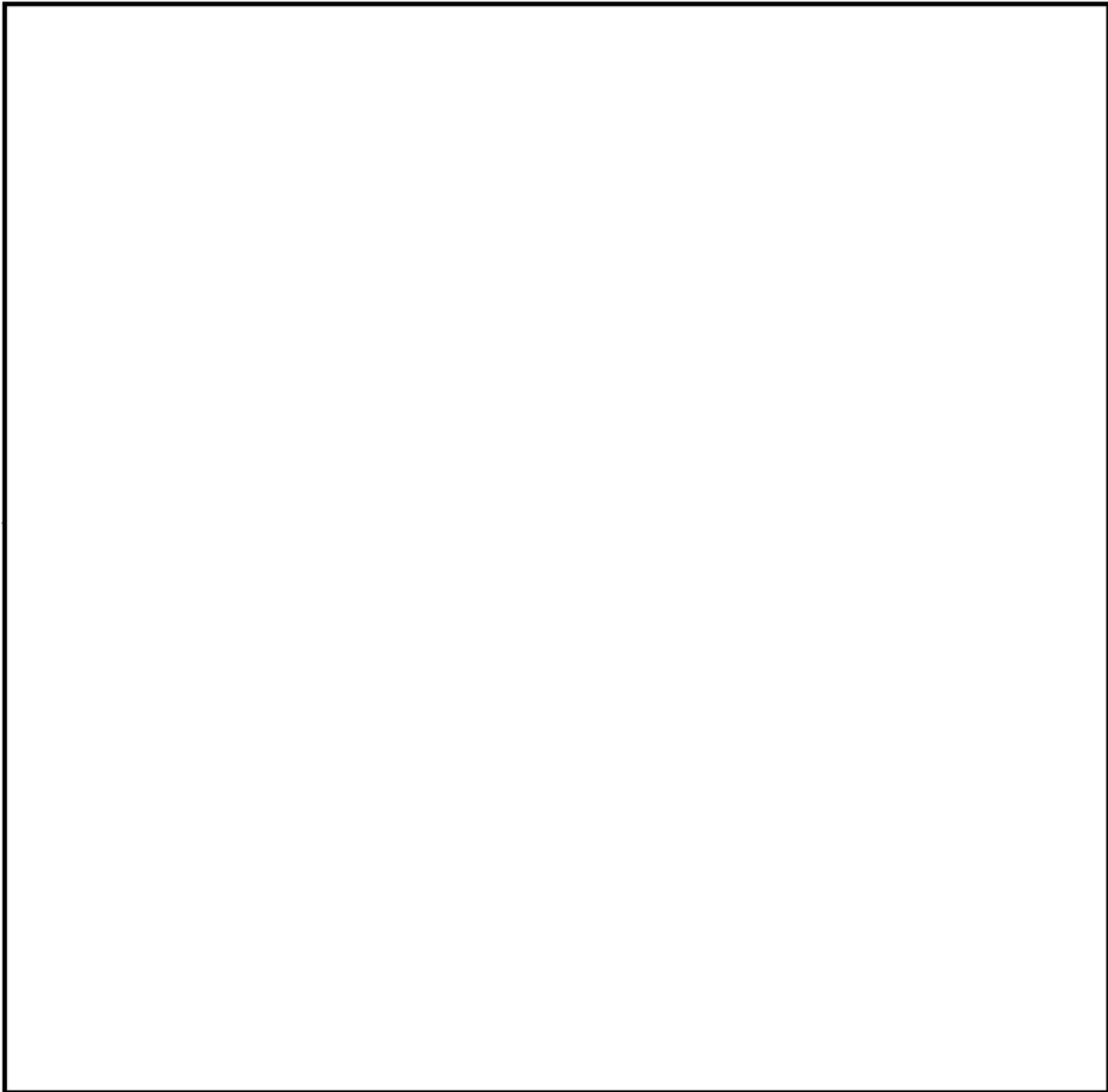
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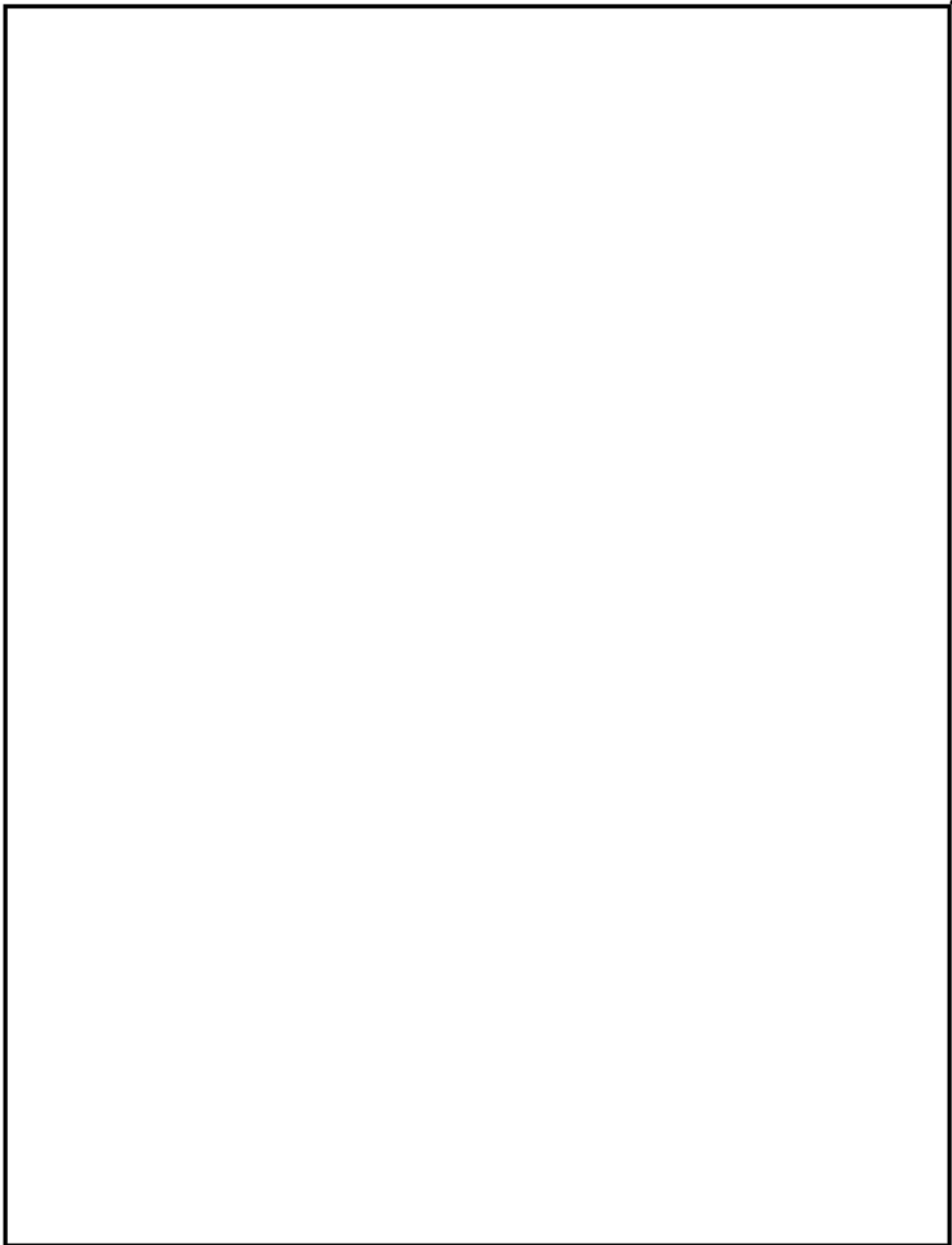
**(U) APPENDIX C**

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**(U) DNI-U Network**



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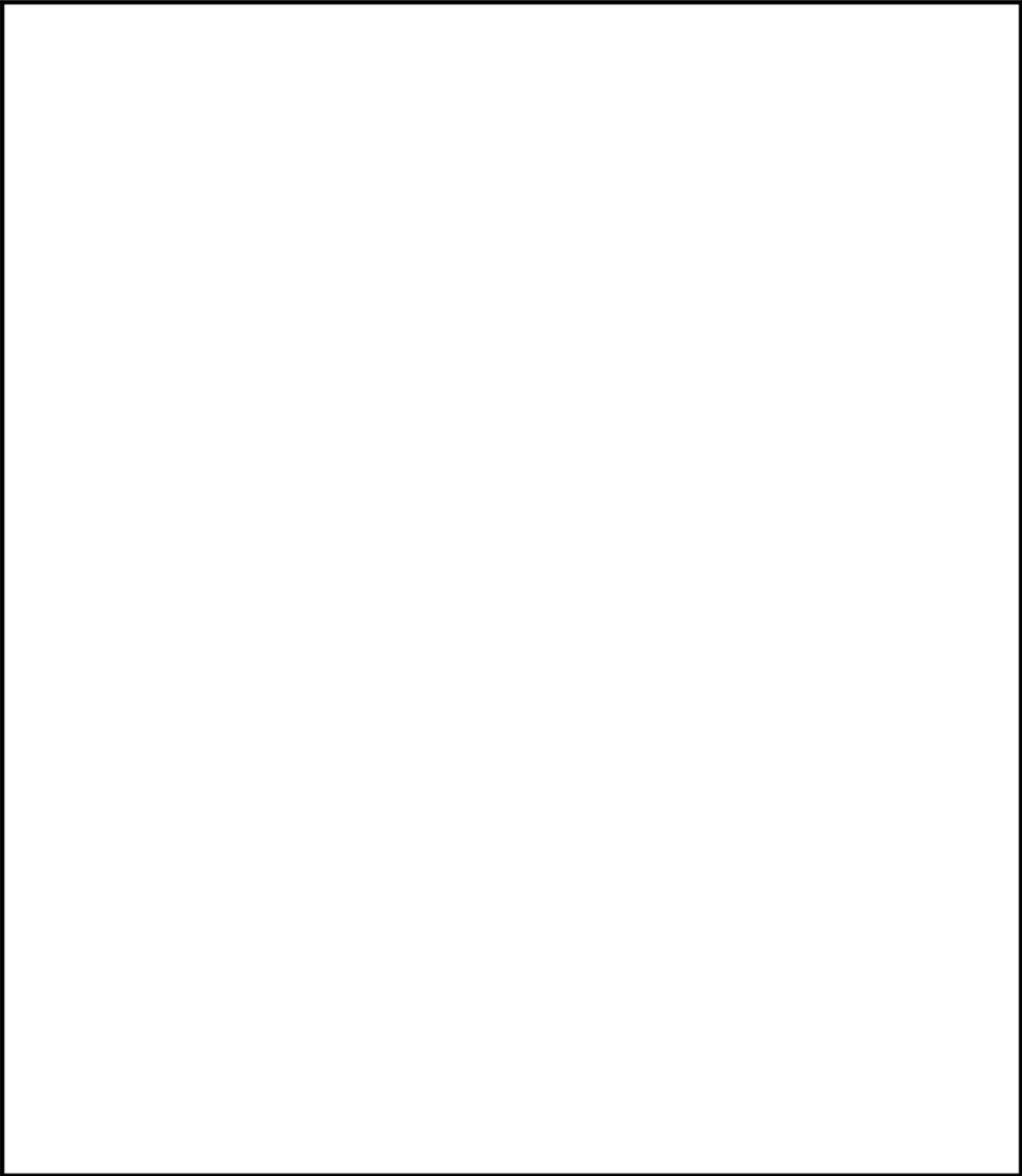
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**(U) APPENDIX D**

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Intelink

[Redacted]

### Terms of Use

**(U) Purpose**

(U) These Terms of Use establish the conditions and criteria for using the Intelink [Redacted]  
[Redacted]

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**(U) Authority**

(U) The Intelink [Redacted] is provided under the authority of the Director of National Intelligence (DNI) pursuant to the National Security Act of 1947, as amended (50 U.S.C. § 403 et seq.), specifically 50 U.S.C. § 403-1 (r) related to the performance of common services; and Executive Order 12333, United States Intelligence Activities.

**(U) Background**

[Redacted]

[Redacted]

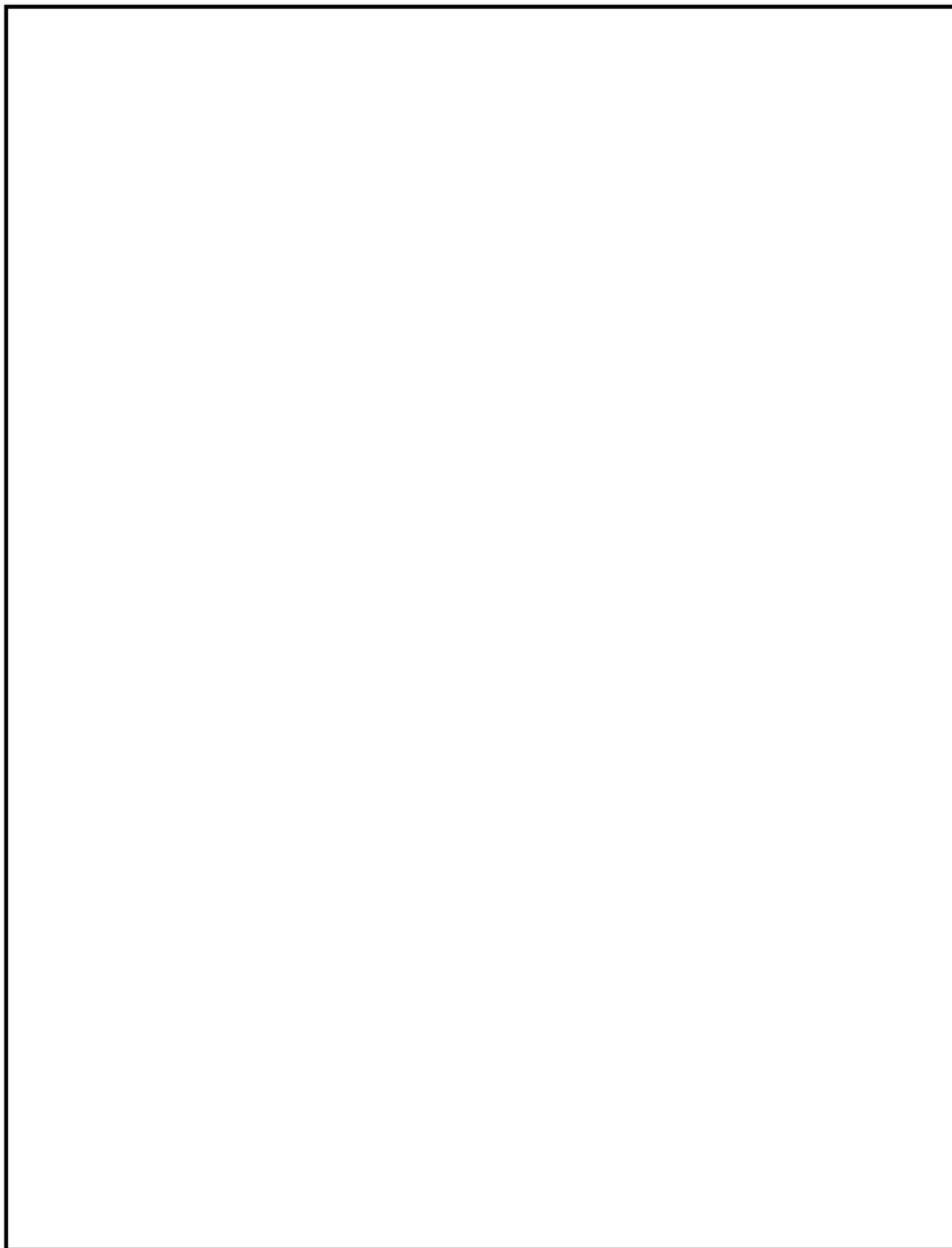
[Redacted]

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Intelink



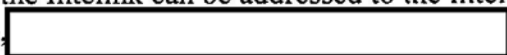
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(b) (3) - P.L. 86-36



Intelink



(U) Additional information on how to access the Intelink can be addressed to the Intelink Service Center at 301-688-1800 (commercial). 



(b) (6)

Richard A. Russell  
Deputy Associate Director to National Intelligence  
Intelligence Community Enterprise Solutions

9/16/08  
Date

<sup>2</sup> (U) Computer network attack activity involves operations that manipulate, disrupt, deny, degrade, or destroy information resident in computers and/or computer networks.

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**(U) APPENDIX E**

(U) Response to Tentative Conclusion

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[Large redacted area]

Respectfully,

[Redacted signature]